

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
LEK SECURITIES CORPORATION AND ROX :
SYSTEMS, INC., :

Plaintiffs, :

- against - :

NICOLAS LOUIS, JONATHAN FOWLER, :
VOLANT HOLDING, LLC d/b/a/ VOLANT :
TRADING, VOLANT TRADING, LLC, VOLANT :
LIQUIDITY, LLC, AND VOLANT EXECUTION, :
LLC, :

Defendants. :
-----X

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/9/19

19 Civ. 2142 (RMB) (BCM)

ORDER

Having reviewed the record herein, including but not limited to, (1) Magistrate Judge Barbara C. Moses's Expedited Discovery and Case Management Order, dated April 5, 2019; (2) Defendants Fowler and Louis's Letter Motion, dated April 8, 2019; (3) Defendant Volant Holding, LLC's Letter Motion, dated April 8, 2019; and (4) Plaintiffs' letter opposition, dated April 8, 2019, the Court determines as follows:

1 – Judge Moses' discovery and case management plan reflects a great deal of effort and thoughtfulness. The Court approves the plan without any modification.

2 – The Court directs that Plaintiffs forthwith post security of \$500,000 with the Clerk of Court. See, e.g., Alpha Capital Aktiengesellschaft v. Grp. Mgmt. Corp., 2002 WL 31681798, at *10 (S.D.N.Y. Nov. 25, 2002); F.T.C. v. Verity Int'l, Ltd., 124 F. Supp. 2d 193, 206 (S.D.N.Y. 2000).

3 – The Defendants may file a joint 8-page, double-spaced letter brief with regard to whether this Court has jurisdiction over this action by Monday, April 15, 2019 (a legal issue which counsel have already briefed). Plaintiffs' opposition brief should be submitted by Monday,

April 22, 2019. Counsel will not succeed upon this motion (or beyond) if they fail to cite persuasive authority and/or if the authorities they cite are not on point.

4 – The Court is not prepared to schedule a preliminary injunction hearing date or a trial date at this time.

Dated: New York, New York
April 9, 2019

Handwritten signature of Richard M. Berman in black ink, consisting of stylized letters 'RMB'.

RICHARD M. BERMAN
U.S.D.J.